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14 Attorneys for Plaintiffs

15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA

17 STEVE L. WALKUP; DEBORAH
18 J. OWEN; A.W., a minor, by
19 and through her guardian
20 ad litem, STEVE L. WALKUP;
21 and Z.W., a minor, by and
22 through his guardian ad
23 litem, STEVE L. WALKUP,

CASE NO. C 06-07867 WHA

~~-(PROPOSED)-~~ ORDER ON
PETITION FOR APPROVAL OF
COMPROMISE OF CLAIMS OF
MINOR PLAINTIFFS

24 Plaintiffs

25 vs.

26 TOWN OF COLMA, a governmental
27 entity; ROBERT L. LOTTI, in
28 his capacity as Chief of Police
for TOWN OF COLMA; ROGER ARREOLA,
individually and in his capacity
as a police officer for TOWN OF
COLMA; JOHN WOOD, individually
and in his capacity as a police
officer for TOWN OF COLMA; and
DOES 1-25, inclusive,

Honorable William H. Alsup presiding,

The Petition of STEVE L. WALKUP for approval of the

1 proposed compromise of the claim of minors, A.W. and Z.W.,
2 against defendant TOWN OF COLMA, hereinafter referred to as
3 "payer", and all other defendants was presented and considered.
4 The Court finds that the facts set forth in said petition are
5 true and that it is in the best interests of the minors that
6 said claim be compromised and settled for the amount stated and
7 that the proceeds for such settlement be paid and deposited in
8 the manner hereinafter specifically provided:

9 IT IS THEREFORE ORDERED:

10 A. That said compromise be and is hereby approved and
11 that upon payment of the sum of \$15,000.00, which is the
12 total amount of the settlement sum for all plaintiffs herein
13 approved, in the matter herein provided, the payer and all
14 other defendants herein shall be fully and forever released and
15 discharged of and from all claims, charges, and demands of the
16 adult plaintiffs and said minor plaintiffs arising from the
17 incident mentioned in said petition;

18 B. Payer shall disburse the proceeds of the settlement
19 hereby approved in the following manner:

20 (1) By one or more checks or drafts payable to the
21 order of STEVE L. WALKUP as guardian ad litem for minors A.W.
22 AND Z.W., and to STEVE L. WALKUP, DEBORAH J. OWEN and to JOHN
23 BURRIS as their attorney entitled to receive payment of the
24 following items of fees and costs which Petitioner authorized
25 and is directed to pay out of the proceeds of the settlement:
26 Total gross settlement to all plaintiffs: \$15,000.00

1 (a) Costs hereby fixed and allowed to the LAW OFFICE
2 OF JOHN L. BURRIS: \$ 948.65;

3 (b) Adult plaintiffs are to receive a check or draft
4 payable from the LAW OFFICES OF JOHN L. BURRIS out of proceeds
5 of settlement as follows:

6 STEVE L. WALKUP and DEBORAH J. OWEN: \$ 4,451.35.

7 (2) A check or draft payable from the LAW OFFICES OF
8 JOHN L. BURRIS to the order of Petitioner STEVE L. WALKUP as
9 trustee for minor A.W., in the amount of \$2,250 is to be
10 deposited in a blocked account at a commercial depository whose
11 deposits are insured by the FDIC or other regulatory agency, in
12 the name of Petitioner as trustee for said minor, and,

13 (3) A check or draft payable from the LAW OFFICES OF
14 JOHN L. BURRIS to the order of Petitioner STEVE L. WALKUP as
15 trustee for minor Z.W., in the amount of \$2,250 is to be
16 deposited in a blocked account at a commercial depository whose
17 deposits are insured by the FDIC or other regulatory agency, in
18 the name of Petitioner as trustee for said minor.

19 within seventy-two (72) hours after receiving the
20 check or draft mentioned in Paragraph (1). Petitioner shall
21 make no withdrawal from said account without first obtaining an
22 Order of this Court Authorizing such withdrawal. Bond is
23 hereby waived. A copy of this Order shall be delivered to
24 payer forthwith. Attorney fees are not due or payable until
25 such time as the balance of the funds have been deposited
26 pursuant to the Order; and,

1 C. Upon receipt of the full amount of the settlement sum
2 herein approved and the deposit of the funds, Petitioner is
3 hereby authorized and directed to execute and deliver to payer
4 and all other defendants, if Petitioner has not yet done so at
5 that time, a full, complete, and final Release and discharge of
6 and from any and all claims and demands of said minor by reason
7 of the incident described in said Petition and the resulting
8 injuries and damages to said minor.

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10 Dated: January 10, 2008

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HONORABLE WILLIAM H. ALSUP
UNITED STATES DISTRICT COURT JUDGE

